

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA,**

Plaintiff,

vs.

**GABRIELLE CROCKER; LIONEL N.
FURTADO; B.F., a minor; H.F., a minor,
and S.F., a minor,**

Defendants.

8:22CV98

ORDER TO SHOW CAUSE

This matter comes before the court after a review of the docket and pursuant to NECivR [41.2](#), which states in relevant part: “At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

Plaintiff, The Prudential Insurance Company of America, filed a Complaint in Interpleader on March 17, 2022. ([Filing No. 1](#)). Plaintiff filed waivers of service for all the defendants. (Filing Nos. 12, 14, 18-20). Defendant Gabrielle Crocker and defendant minor children, B.F., H.F., and S.F. (through their legal guardian and biological mother) have filed answers to the Complaint. (Filing Nos. 15, 22).

Defendant Lionel N. Furtado signed a waiver on April 3, 2022, acknowledging his responsive pleading deadline was 60-days from March 29, 2022. ([Filing No. 12](#)). On May 31, 2022, Plaintiff’s counsel filed a motion requesting an extension of the responsive pleading deadline on Mr. Furtado’s behalf because Mr. Furtado had contacted Plaintiff’s counsel to state he was attempting to obtain counsel in Nebraska to file a responsive pleading. ([Filing No. 16](#)). The Court granted the requested extension and extended Mr. Furtado’s responsive pleading deadline to June 30, 2022. (Filing No. 17). But, to date, Mr. Furtado has not filed any responsive pleading and Plaintiff has taken no further action. Plaintiff has a duty to prosecute the case and may, for example, seek default in accordance with the applicable rules or take other action as appropriate. Accordingly,

IT IS ORDERED that on or before **August 22, 2022**, Plaintiff must show cause why Defendant, Lionel N. Furtado, should not be dismissed for failure to prosecute, or take other appropriate action.

Dated this 2nd day of August, 2022.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge